

1 Honorable Ricardo S. Martinez
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 TANA IHRIG and MARK IHRIG,) NO. 2:06-cv-00512-RSM
10)
11 Plaintiffs,) DEFENDANT RESURGENT
12 v.) CAPITAL SERVICES LP'S RULE
13) 26(a)(1) DISCLOSURES
14 WASHINGTON MUTUAL BANK, *et al.*,)
15)
16 Defendants.)
17)
18)

19 Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant
20 Resurgent Capital Services L.P. ("Resurgent") provides the following information:

21 **A. IDENTITY OF INDIVIDUALS LIKELY TO HAVE DISCOVERABLE
22 INFORMATION RELEVANT TO DISPUTED FACTS.**

23 Defendant Resurgent identifies the following individual(s), other than Plaintiffs and
24 the other named Defendants, who may have relevant information: John Shinovich,
25 Authorized Representative, Resurgent.

Identification of any person does not constitute a representation that such person has
26 information that is nonprivileged, nor does it constitute a waiver of any privilege or objection
27 that may be made to such witness's testimony.

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29 DEFENDANT RESURGENT
30 CAPITAL SERVICES LP'S
31 RULE 26(a)(1) DISCLOSURES
32 0605-03 ss

STEPHEN A. BERNHEIM
ATTORNEY AT LAW
512 Bell Street
Edmonds, Washington 98020
(425) 712-8318
Fax (425) 712-8418
e-mail:steve@stevebernheim.com

1 Defendant Resurgent may identify additional witnesses through discovery and
2 continued investigation. Defendant Resurgent specifically reserves the right to offer
3 witnesses at trial that are not identified above.

4 **B. DESCRIPTION (BY CATEGORY) OF ALL DOCUMENTS, DATA
5 COMPILATIONS AND TANGIBLE THINGS THAT MAY BE RELEVANT
6 TO DISPUTED FACTS.**

7 Defendant Resurgent identifies the following categories of documents, data
8 compilations and tangible things that may be relevant to disputed facts: (i) its accounts notes,
9 and (ii) notes of the agencies with whom Plaintiffs' account was placed.

10 Defendant Resurgent anticipates that Plaintiffs and the other named Defendants may
11 also have documents, records, data and things that may be relevant to disputed facts.

12 Defendant Resurgent may identify additional categories of documents, data
13 compilations, and other tangible things through discovery and continued investigation.
14 Defendant Resurgent specifically reserves the right to offer exhibits at trial that do not fall
15 within the above-listed category.

16 **C. COMPUTATION OF DAMAGES CLAIMED BY DEFENDANT.**

17 Not applicable.

18 **D. INSURANCE AGREEMENTS WHICH MAY BE LIABLE TO SATISFY
19 PART OR ALL OF A JUDGMENT.**

20 Defendant Resurgent has not tendered the defense of this claim to its insurance
21 provider.

22 DATED this 26th day of July, 2006

23 /s/ Stephen A. Bernheim

24 Stephen A. Bernheim, WSBA #15225
25 Attorney for Defendants LVNV Funding, LLC,
26 Resurgent Capital Services, LP and Sherman
27 Financial Group LLC

28 DEFENDANT RESURGENT
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33 STEPHEN A. BERNHEIM
34 ATTORNEY AT LAW
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36 Edmonds, Washington 98020
37 (425) 712-8318
38 Fax (425) 712-8418
39 e-mail:steve@stevebernheim.com